

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MATTHEW BORDEN

Plaintiff,

v.

NGM INSURANCE COMPANY

Defendant.

CIVIL ACTION NO. 20-1878

ORDER

AND NOW, this 8th day of March 2023, upon consideration of Defendant's Motion for Summary Judgment as to Count II of Plaintiff's Amended Complaint [Doc. No. 33], and the responses thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. It is further **ORDERED** that Count I of Plaintiff's Amended Complaint is **DISMISSED AS MOOT**. The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.